



S009990%S%2004

STATE WATER RIGHTS  
2002-2003-2004

2005 JUL 11 AM 11:25

STATE WATER RIGHTS  
SACRAMENTO

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

**Please Complete and Return This Form by JULY 1, 2005.**

**\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

**Owner of Record:** BIAGGINI BROTHERS;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**BIAGGINI BROTHERS**

**1148 MARKET AVE**

**MORRO BAY, CA 93442**

STATEMENT NO.: S009990  
CONTACT PHONE NO.: (805)772-2158

**Source Name:** Unnamed Spring

**Tributary To:** MORRO CREEK

**County:** San Luis Obispo

**Diversion Within:** SW1/4 of NW1/4 Section 02, T29S, R11E, MB&M

**Year of First Use:** 1896

**Parcel Number:**

A. **Water is Used Under:** Riparian claim \_\_\_\_\_ Pre-1914 right ☒ Other (explain): \_\_\_\_\_

B. **Year of First Use:** (Please provide if missing above) \_\_\_\_\_

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons				Million Gallons (MG)				Acre-feet (AF)				Other	Variable
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2002													
2003	<b>ALL YEARS AND ALL MONTHS</b>												
2004													

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering 100; Domestic \_\_\_\_\_

Other (specify) Cattle

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)

NONE

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES \_\_\_\_\_ NO \_\_\_\_\_  
Describe any water conservation efforts you have initiated: \_\_\_\_\_

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_ NO X
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES 1 NO \_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_ NO \_\_\_\_
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_ NO 1

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: June 28, 20 05 at Morro Bay, California

SIGNATURE: Harold J Biaggini

PRINTED NAME: Harold J Biaggini  
(first name) (middle initial) (last name)

COMPANY NAME: Biaggini Brothers

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water, which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by July 1, 2002.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: BIAGGINI BROTHERS

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

BIAGGINI BROTHERS  
1148 MARKET ST  
MORRO BAY, CA 93442

STATEMENT NO.: S009990  
CONTACT PHONE NO.: (805)772-2158

FOR ONLINE REPORTING AT  
[www.waterrights.ca.gov](http://www.waterrights.ca.gov)

USER NAME: S009990  
PASSWORD: C16499

Source Name: Unnamed Spring  
Tributary To: MORRO CREEK  
County: San Luis Obispo  
Diversion Within: SW1/4 of NW1/4 Section 02, T29S, R11E, MB&M

Year of First Use: 1896  
Parcel Number:

- A. Water is used under: Riparian claim \_\_\_\_\_ Pre 1914 right X Other (explain); \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are: Gallons Acre-feet Other **Variable**

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1999													
2000	ALL YEARS AND ALL MONTHS												
2001													

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering 100 ; Domestic \_\_\_\_\_  
Other (specify) Cattle
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
NONE

- F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Are you now employing water conservation efforts? YES \_\_\_ NO \_\_\_  
Describe any water conservation efforts you have initiated: \_\_\_\_\_

- b. If credit toward beneficial use of water under claimed pre 1914 appropriate water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

Reductions in consumptive use:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_ NO \_\_\_

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO **X** \_\_\_\_\_.
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_\_ NO \_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_ NO \_\_\_\_.
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_ NO \_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: **June 12**, 20 **02** at **Morro Bay**, California

SIGNATURE: *Harold Biaggini*

PRINTED NAME: **Harold** **J** **Biaggini**  
(first name) (middle init.) (last name)

COMPANY NAME: **Biaggini Brothers**

If there is insufficient space for your answers, please use the space provided below.

ITEM -- CONTINUATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"*

STATE WATER RESOURCES

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: BIAGGINI BROS

BIAGGINI BROS  
1148 1164 MARKET STREET  
MORRO BAY, CA 93442

STATEMENT NO: S009990

SOURCE: UNSP  
TRIBUTARY TO: MORRO CREEK  
COUNTY: SAN LUIS OBISPO  
DIVERSION

TELEPHONE NUMBER:  
(805) 772-2158  
YEAR OF FIRST USE: 1896  
PARCEL NO:

WITHIN: SW¼ OF NW¼ SECTION 2, T29S, R11E, MB&M.

- A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) Variable

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC.	TOTAL ANNUAL
1996	<u>All Years and Months</u>												
1997													
1998													

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering 100 head; Domestic \_\_\_\_\_  
Other (specify) Cattle
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) None
- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 10 June 1999 1998, at Morro Bay, California

SIGNATURE: Harold Biagini

PRINTED NAME: Harold (FIRST NAME) J. (M NAME) Biagini (LAST NAME)

COMPANY NAME: Biagini Bros.

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

JUL 27 1999  
2WR40-4(4/96)

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: BIAGGINI BROS

STATEMENT NO: S009990

1148 BIAGGINI BROS  
1164 MARKET STREET  
MORRO BAY, CA 93442

SOURCE: UNSP  
TRIBUTARY TO: MORRO CREEK  
COUNTY: SAN LUIS OBISPO  
DIVERSION

TELEPHONE NUMBER:  
(805) 772-2158  
YEAR OF FIRST USE: 1896  
PARCEL NO:

WITHIN: SW¼ OF NW¼ SECTION 2, T29S, R11E, MB&M.

- A. Water is used under: Riparian claim; Pre 1914 right; Other (explain)
- B. Year of first use (Please provide if missing above)
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) Variable

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993	All Years and Months												
1994													
1995													

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation acres; Stockwatering 100 head; Domestic  
Other (specify) Cattle
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) None
- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 10 June 1996, at Morro Bay, California

SIGNATURE: Harold Biagini

PRINTED NAME: Harold J. Biagini  
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: Biagini Bros.

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.



STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 009990

BIAGGINI BROS  
1164 MARKET STREET  
MORRO BAY, CA 93442

TELEPHONE NUMBER:  
(805) 772-2158

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: UNNAMED SPRING

TRIBUTARY TO: MORRO CREEK

COUNTY: SAN LUIS OBISPO

YEAR OF FIRST USE: 1896

DIVERSION

WITHIN: SW1/4 OF NW1/4 SECTION 02, T29S, R11E, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994

- A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

JAN. FEB. MAR. APR. MAY JUNE JULY AUG. SEPT. OCT. NOV. DEC. TOTAL ANNUAL

1991																
1992	all Months and all years															
1993																

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering 100 head cattle Domestic ☒  
Other (specify) \_\_\_\_\_

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
None

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 7 March, 19 94, at Morro Bay, California

Signature: Karold Biaggi



## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
901 P ST. SACRAMENTO, CA 95814  
(916) 322-4503  
(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIV. OF WATER RIGHTS  
SACRAMENTO

STATEMENT NO: 009990

DIVERTER OF RECORD:

BIAGGINI BROS  
1164 MARKET STREET  
MORRO BAY, CA 93420  
93442

TELEPHONE NUMBER:  
(805) 772-2158

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: UNNAMED SPRING

TRIBUTARY TO: MORRO CREEK

COUNTY: SAN LUIS OBISPO

DIVERSION

WITHIN: SW1/4 OF NW1/4 SECTION 02, T29S, R11E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988	All Months												
1989													
1990													

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation

Stockwatering

Domestic

Other (specify)

100 hd cattle

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

No change

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 28 Jan, 1991, at Morro Bay, Calif., California

Signature: Harold Biaggi

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

RECEIVED

JAN 26 1991

BUENA VISTA LINES, INC.

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810  
901 P ST. SACRAMENTO, CA  
(916) 322-4503

(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 009990

BIAGGINI BROS  
1164 MARKET STREET  
MORRO BAY, CA 93420

TELEPHONE NUMBER:  
(805) 544-1844

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: UNNAMED SPRING *SPRING # 4*

TRIBUTARY TO: MORRO CREEK

COUNTY: SAN LUIS OBISPO

DIVERSION

WITHIN: SW1/4 OF NW1/4 SECTION 02, T29S, R11E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1988. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct	Nov.	Dec.	Total Annual
1985	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1986	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1987	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_

Stockwatering 100 HD CATTLE

Domestic \_\_\_\_\_

Other (specify) \_\_\_\_\_

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

*NO CHANGE*

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: MAR 17, 19 88, at MORRO BAY, CA 93442, California

Signature: Ed Biaggini (PARTNER)

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

28 Jan 1991 <sup>files</sup> S-9990

State Water Resources Control Board  
Division of Water Rights

We are requesting that  
the State mail us copies of the  
Water rights we have in regard to  
the spring referred to in this  
Statement number 009990

Sincerely,  
Harold Bragg

copy of S-9990  
sent 2/1/91  
WR

## STATE OF CALIFORNIA

## STATE WATER RESOURCES CONTROL BOARD

## DIVISION OF WATER RIGHTS

STATEMENT OF WATER DIVERSION AND USE  
(This is not a Water Right)

This statement should be typewritten or legibly written in ink

NOV 13 4 15 PM '79

S9990

A. Name of person diverting water Biaggini Bros. DIV. OF WATER RIGHTS  
Address 1164 Market Street, Morro Bay, CA 93420 Telephone: 805 544 1844

B. Name of body of water at point of diversion unnamed Spring No. 4  
Tributary to Morro Creek

C. Place of diversion SW 1/4 NW 1/4 Section 2, Township 29S, Range 11E, MD B&M,  
San Luis Obispo County, or locate it on sketch of section grid on reverse side with regard to section  
lines or prominent local landmarks.

D. Name of works —

E. Capacity of diversion works — cubic feet per second  
Capacity of storage reservoir — gallons per minute  
State quantity of water used each month in gallons or acre-feet  
gallons  
acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1979	X	X	X	X	X	X	X	X	X	X	X	X	

If monthly and annual use are not known, check months in which water was used. State extent of use in  
units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.  
100 head of cattle

Maximum annual water use in recent years — gallons,  
acre-foot

Minimum annual water use in recent years — gallons,  
acre-foot

Type of diversion facility: gravity X, pump —

Method of measurement: weir —, flume —, electric power meter —, water meter —, estimate —

F. Purpose of use (what water is being used for) Stockwatering

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)  
Refer to attached map

H. Year of first use as nearly as known 1896

I. Name of person filing statement Ed Biaggini

Position Partner Organization Biaggini Bros.

Address 1164 Market Street, Morro Bay, CA 93420 Telephone: 805 544 1844

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.  
DATED: November 13, 19 79, at Sacramento, California.

Signature: Ed Biaggini

See Instructions on Reverse Side

SWRCB 40 (7/77)

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